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Agenda item 7 (a)

HUMAN RIGHTS OF INDIGENOUS PEOPLES: INDIGENOUS PEOPLES AND THEIR RELATIONSHIP TO LAND

Preliminary working paper prepared by
Mrs. Erica-Irene Daes, Special Rapporteur

Corrigendum

GE.97-13355 (E)

Paragraph 2

Replace last sentence with the following text:

Because of diversity of history, political relationships and developments, and past and present legal issues, such matters will have to be reviewed on a case-by-case basis, if possible, by both indigenous peoples and States to determine the accommodation and affirmation of the land rights of indigenous peoples. This matter is addressed in section III of this working paper.

Paragraph 6

Insert " at the end of the paragraph.

Paragraph 8

The last sentence should read as follows:

New standards are being devised based, in part, upon the values that have been expressed by indigenous peoples, which are consistent with indigenous peoples' perspectives and philosophy about their relationship to their lands, territories and resources.

Paragraph 9

Replace the second sentence with the following text:

They accurately reflect indigenous peoples' articulation of this distinct relationship.

Paragraph 13

Add the following text to the end of the paragraph:

There may be additional elements related to indigenous peoples and their relationship to lands, territories and resources which have not been captured by these examples. The Special Rapporteur welcomes the comments of all concerned to ensure that the final working paper captures the essence of this profound relationship.

Paragraph 14

The last sentence should read:

Indigenous societies in a number of countries are in a state of rapid deterioration and change due to the denial of the rights of the indigenous peoples to lands, territories and resources.

Paragraph 23, third sentence

Before extinguishment insert purported

Paragraph 24

Line 2: after conquest insert,

Line 18: for at read about

Paragraph 29

Replace the penultimate sentence with the following text:

However, aboriginal title is often subject to the illegitimate assumption of State power to extinguish such title, in contrast to the legal protection and rights that, in most countries, protect the land and property of citizens. This is discussed further in paragraphs 32-37 below.

Paragraph 37

At the end of the paragraph delete was

Paragraph 88

After Rio Declaration, insert Convention on Biological Diversity,

Paragraph 89

At the end of the paragraph insert "

Paragraph 90

At the beginning of the last sentence insert It must be acknowledged that

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